

Collins, Kathleen

From: Chung, Angela
Sent: Thursday, February 06, 2014 9:22 AM
To: James Tupper
Cc: Collins, Kathleen; Cohon, Keith
Subject: RE: FOIA re Spokane Tribe of Indians Water Quality Standards

RE: FOIA request submitted by Tucker Mack Wells on behalf of the City of Coeur d'Alene (No. EPA R10-2014-001450)

Hi James,

Per our January email exchange below, EPA is following up with the cost estimate for providing documents responsive to your FOIA request submitted on behalf of the City of Coeur d'Alene. This FOIA request falls into the "other" fee category.

Your request letter gives EPA permission to charge you for FOIA processing fees up to \$ 25.00. The estimated cost to respond to your request under "other" fee category deductions (100 pages free and no charge for the first two hours of search time) is \$ 7,410.00 . In order to complete your request, we will need your assurance of payment for this amount, pursuant to 40 C.F.R. § 2.107(e). If you wish, you may modify your request to reduce the fee. Please contact me by letter at the address below or by email at chung.angela@epa.gov to provide your assurance of payment or to discuss how you can modify your request to reduce the fee. Please reference the FOIA number cited above in all communications concerning your request.

Your request is on hold pending your reply. If we don't hear from you within five (5) business days from date of this e-mail, we will assume you are not interested in modifying your request and will complete your request up to your initial fee agreement.

If you require more time to respond to our cost estimate or have any questions, please contact me or Kathleen Collins at 206-553-2108. Thank you.

Angela Chung
Water Quality Standards Unit Manager
U.S. Environmental Protection Agency
1200 Sixth Ave, Suite 900, OWW 131
Seattle, WA 98101
Phone: 206-553-6511

From: James Tupper [mailto:tupper@tmw-law.com]
Sent: Wednesday, January 15, 2014 10:22 AM
To: Chung, Angela
Cc: Collins, Kathleen; Cohon, Keith
Subject: RE: FOIA re Spokane Tribe of Indians Water Quality Standards

Hi Angela, your email is consistent with our conversation. Thanks for your attention to this.

James A. Tupper, Jr.

Tupper | Mack | Wells PLLC
2025 First Avenue | Suite 1100 | Seattle, WA 98121
206.493.2317 (direct) | 206.493.2310 (fax) | 206.818.1871 (cell)
tupper@tmw-law.com

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From: Chung, Angela [<mailto:Chung.Angela@epa.gov>]
Sent: Tuesday, January 07, 2014 5:13 PM
To: James Tupper
Cc: Collins, Kathleen; Cohon, Keith
Subject: FOIA re Spokane Tribe of Indians Water Quality Standards

Hi James,

As we discussed, this email is in follow-up to our phone call yesterday regarding the FOIA request your firm submitted to EPA on behalf of the City of Coeur d'Alene, which relates to the Spokane Tribe of Indians 2010 new and revised Water Quality Standards. The purpose of this e-mail is to document what we discussed on yesterday's call regarding the revised scope of that FOIA request (No. EPA R10-2014-001450).

As a result of the January 6 conference call between EPA (Angela Chung, Keith Cohon, Kathleen Collins and Matt Szelag) and James Tupper of Tupper Mack Wells, we understand the scope of the FOIA as follows:

All documents, including correspondence, studies, reports, meeting minutes, and notes created from January 1, 2007, through December 23, 2013, that pertain to EPA's review and approval or disapproval of the Spokane Tribe of Indian's 2010 new or revised human health water quality criteria. The scope of this FOIA request includes exempt documents (such as internal deliberative or attorney client privilege) and, therefore, a withholding log of any withheld documents will need to be created.

In addition, if Tupper Mack Wells would like to request a fee waiver, it would be necessary to withdraw the current request and submit a new one with a fee waiver request and justification for a fee waiver, per 40 U.S.C. § 2.107, as explained in Keith Cohon's separate e-mail message.

Before responding further to this FOIA request, EPA requires assurance of payment for time spent searching, copying and reviewing relevant documents. Within three weeks of confirming that we have a common understanding of the scope of this FOIA request, EPA will provide Tupper Mack Wells an estimate of its search, review, and copy costs. Once EPA receives assurance of payment, we can discuss a final date for our response.

Please reply and let us know if this summary matches your understanding of our call. If you have any questions, please feel free to contact Kathleen Collins at 206-553-2108. Thank you.

Angela Chung
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U.S. Environmental Protection Agency
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Seattle, WA 98101
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